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Docket Number (Optional)
021629-002000US

In re Application of: BERNARD ANDREAS et al.

Application No. 10/686,025

Filed: October 14, 2003

For: APPARATUS AND METHODS FOR DELIVERY OF BRAIDED PROSTHESES

The owner*, Xtent Inc., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Numbers 11/538,923, filed on 10/05/2006; 11/429,502, filed on 05/05/2006; 10/944,825, filed on 09/21/2004; 10/458,062, filed on 06/09/2003; 10/624,451, filed on 07/21/2003; 10/794,405, filed on 03/03/2004; and 10/306,813, filed on 11/27/2002, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney of record. Reg. No. 59,660

Dpmtnow — October 19, 2007

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